

**REMARKS**

Claims 25, 26, 28, 29 and 36-53 are now pending in the application. Claims 25, 26, 28, 29 and 36-53 stand rejected. Claims 1-24, 27 and 30-35 have been previously cancelled. Claims 36, 37, 42, 43, 47, 48 and 51 have been amended herein and Claims 39 and 45 have been cancelled. Support for the amendments can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

**REJECTION UNDER 35 U.S.C. § 112**

Claims 39, 45 and 51 stands rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants have cancelled Claims 39 and 45, and thus, this rejection has been rendered moot. With regard to Claim 51, Applicants have amended this claim to specify that the first component is rotatable about the generally vertical axis. Support for this amendment can be found at least at page 13, paragraph [0053] of the specification as filed. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 25, 26, 28, 29, 36, 39, 41, 42, 45, 47 and 48 stand rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for spout ends rotatable via first and second components, does not reasonably provide enablement for only relative rotation. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. Applicants have amended Claims 36, 42 and 48 to further define Applicants' claimed subject matter. In this regard, the amendments herein clarify that the first open end of the first component is rotatable about the generally vertical axis. As such, applicants believe the "relative rotation" objection has been addressed.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 25, 26 and 36-53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sargent et al. (U.S. Pat. No. 4,776,631; hereinafter "Sargent") and Link (U.S. Pat. No. 779,946; hereinafter "Link"). This rejection is respectfully traversed.

The Examiner's attention is directed to Claim 36 which has been amended to include the limitation "a spout including a first component rotatably coupled to a second component, the first component including a first open end and the second component including a second open end." Further, Claim 36 has been amended to include the limitation "wherein the first component is rotatable about a generally vertical axis

defined through the first open end to move the spout between a stowed position and an access position.”

Similarly, Claim 42 has been amended to include the limitation “wherein the generally vertical axis is defined through the first open end and the first component is rotatable about the generally vertical axis to move the spout between a stowed position and an access position”. Applicants respectfully submit the cited references do not teach the first component being rotatable about a generally vertical axis ... to move the spout from the first stowed position and an access position. As such, independent claim 36 and its dependants 25-29, 37-38, 40 and 41 and independent claim 42 and its dependants 43, 44, 46 and 47 are distinguished from the cited references.

Claim 48 has been amended to include the limitation, “the spout is rotatable about a generally vertical axis between a stowed position and an access position.” Applicants respectfully submit the cited references do not teach the spout being rotatable about a generally vertical axis between a stowed position and access position. As such, rejection under 35 U.S.C. § 103 is improper.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is

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believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 4623C-000087/US from which the undersigned is authorized to draw.

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Respectfully submitted,

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